

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE AQUA DOTS PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO: ALL
ACTIONS

MDL No. 1940

Case No. 08 cv 2364

Judge David H. Coar

Magistrate Susan E. Cox

RESPONSE TO PLAINTIFFS' MOTION TO COMPEL

On Monday, August 11, Defendants Spin Master Ltd. and Spin Master, Inc. (collectively "Spin Master") shall provide supplemental responses to Plaintiffs' First Set of Interrogatories and First Request for Production of Documents responding to each of the interrogatories and document requests that Plaintiffs identify in their Motion to Compel. Spin Master believes these supplemental responses will fully address all concerns outlined in Plaintiffs' Motion to Compel.

Specifically, Spin Master is supplementing its responses to Plaintiffs' First Set of Interrogatories at Numbers 3-10 and 15-23 and its responses to Plaintiffs' Request for Production of Documents at Numbers 1, 2, 4, 5, 10, and 14-17.¹ Spin Master is producing 981 pages of documents in response to Plaintiffs' discovery requests. This is in contrast to Defendant Moose Enterprise Pty Ltd.'s prior production of 166 pages, which Plaintiffs describe as "significant disclosures." *See* Plaintiffs' Motion at ¶ 8.

Documents being produced include those relating to Spin Master's discovery that its Aqua Dots products contained 1,4-butanediol; documents related to Spin Master's safety and/or quality control processes, including but not limited to third-party testing documents regarding

¹ If the Court wishes to view these responses, Spin Master can file them under seal.

1,4-butanediol; documents evidencing consumer complaints about Aqua Dots; email communications to and from Spin Master employees, Moose employees, and third-party individuals; internal documents relating to the recall of Aqua Dots; and communications with vendors regarding the recall of Aqua Dots. Spin Master will also provide to Plaintiffs a privilege log outlining the basis for withholding any responsive but privileged information.

Spin Master believes that its responses shall provide full answers to all information sought in the Motion to Compel. If Plaintiffs have any additional concerns, Spin Master invites Plaintiffs to contact them regarding further discussions.

Dated: August 8, 2008

Respectfully submitted,

SPIN MASTER LTD. AND
SPIN MASTER, INC.

By: /s/ Thomas J. Wiegand
One of their attorneys

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on August 8, 2008, I filed the above and foregoing with the Court's ECF system and by doing so served a copy on all the parties.

/s/ Thomas J. Wiegand
ATTORNEY FOR SPIN MASTER LTD. AND
SPIN MASTER, INC.